

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Patricia Montgomery Cr.: 04-00307-001

Name of Sentencing Judicial Officer: Honorable Ursula Ungaro-Benages, Jurisdiction transferred to the Honorable John W. Bissell on April 30, 2004.

Date of Original Sentence: 11/10/99

Original Offense: Importation of Cocaine

Original Sentence: 63 months imprisonment, 4 years supervised release, Drug Testing, and \$100 Special Assessment. On May 21, 2004, the offenders conditions were modified to include Drug Treatment.

Type of Supervision: Supervised Release

Date Supervision Commenced: 12/18/03

Assistant U.S. Attorney: TBA

Defense Attorney: TBA

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

The offender has violated the supervision condition which states 'You shall **notify the probation officer within 72 hours of any change of residence or employment.**'

On February 14, 2005, the offender left a voice mail message for this writer advising that there was a fire at her residence specifically: 527 Hawthorne Avenue, 1st Floor, Newark, NJ. The offender stated that she and her daughter, Darnell Montgomery, were staying in a hotel for the evening and she would make contact with me the following morning. On February 24, 2005, the offender left a second voice mail message stating that she was staying with a friend; however she failed to provide an address of her location. No further information has been received from the offender.

2

The offender has violated the supervision condition which states **'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'**

The offender has failed to submit monthly supervision reports since August 2004.

The offender has failed to report to the US Probation Office as directed, after several messages were left on the voice mail of her cellular phone. This writer left messages instructing her to report or make contact with this writer on February 16, 2005; February 25, 2005; March 17, 2005; April 22, 2005; and May 20, 2005.

3

The offender has violated the supervision condition which states **'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'**

On March 8, 2004, the offender reported to the US Probation Office after having returned from approved travel to Pennsylvania for a wedding. While in the office, an instant urinalysis test was taken and the offender yielded positive results for cocaine. The urinalysis was sent to Scientific Testing Laboratories for confirmation and on March 15, 2004, the lab results proved positive for cocaine. On March 18, 2004, the offender signed a waiver of a hearing to modify her conditions to include drug treatment. The offender was referred for drug treatment to Catholic Community Services on April 19, 2004.


On December 21, 2004, the offender reported to the US Probation Office for a scheduled office visit and an instant drug test was conducted. The offender tested positive for opiates. The offender admitted to abusing heroin on December 16, 2004, signed an admission of drug use form, and therefore the urinalysis was not forwarded to the lab for verification. The offender's speech was slurred, her head swayed back and forth as she spoke with this writer and she was kicking the opposite side of the toilet in an attempt to flush it.

In addition, verbal verification has been received from Mr. Bill Ford, Treatment Counselor at Catholic Community Services that the offender has not reported for drug treatment since the middle of May 2005.

I declare under penalty of perjury that the foregoing is true and correct.



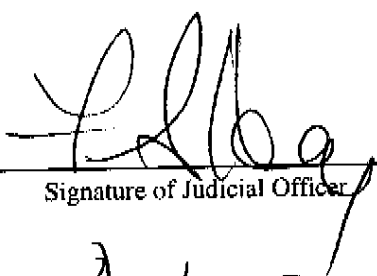
By: Jaclyn T. Coe

 U.S. Probation Officer

Date: 08/10/05

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other



Signature of Judicial Officer



Date